

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nobumasa SUZUKI et al.

Group Art Unit : 3775

Appl. No. : 10/659,302

Examiner : R. Shaffer

Filed : September 11, 2003

Confirmation No. : 3567

For : ROD FIXING APPARATUS FOR VERTEBRA CONNECTING MEMBER

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, Mail Stop AMENDMENT
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir :

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98 and supplemental to the Information Disclosure Statements previously filed, Applicants hereby bring to the attention of the Examiner an Extended European Search Report dated December 17, 2008, with respect to patent family member European Patent Application No. 08016285.2, in which the following documents were cited:

- (1) US 5443467;
- (2) US 5520689;
- (3) US 6077262; and
- (4) DE 4110002 C1.

The relevance of these documents, as ascertained with respect to the European claims by the European Examiner, is set forth in the Extended European Search Report.

Applicants note that above-noted documents (3) and (4) were previously cited in an Information Disclosure Statement filed in the present application, and thus, copies of these documents are not provided herewith.

02/10/2009 AWONDAF1 00000030 10659302

01 FC:1806

100.00 OP

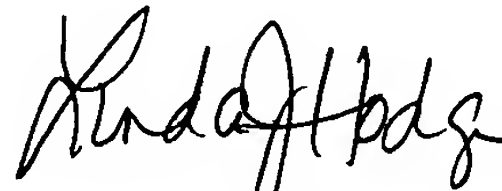
Further to 37 C.F.R. §1.98 (a)(2)(ii), copies of the U.S. patents are not enclosed herewith. However, if any copy is needed, the Examiner is respectfully requested to contact the undersigned.

Applicants respectfully request that the Examiner consider the above material and cite the same. The above-noted documents (1) and (2) are listed on an attached Form PTO-1449. A copy of the Extended European Search Report is attached hereto. The Examiner is requested to initial the appropriate spaces on the attached Form, and to return a copy of the completed Form to Applicants with the next official communication in the present application.

Since this Supplemental Information Disclosure Statement is being submitted subsequent to the issuance of a Final Rejection, Applicants have included herewith a check in the amount of \$180.00 to cover the fee set forth in 37 C.F.R. §1.17 (p). Applicants furthermore certify that each new item of information contained in this Information Disclosure Statement (i.e., above-noted documents (1) and (2)) was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the below-listed telephone number.

Respectfully Submitted,
Nobumasa SUZUKI et al.

 Linda J. Hodge
Reg. #47,343

Bruce H. Bernstein
Reg. No. 29,027

January 30, 2009
GREENBLUM & BERNSTEIN, P.L.C.
1950 Roland Clarke Place
Reston, VA 20191
(703) 716-1191